

# Special Session

<b>Agenda Item #</b>	4
<b>Meeting Date</b>	October 17, 2005
<b>Prepared By</b>	Daryl Braithwaite & Wayne Hobbs
<b>Approved By</b>	Barbara B. Matthews City Manager

<b>Discussion Item</b>	Single Reading Ordinance authorizing purchase of Dome for Salt Storage Facility.
<b>Background</b>	<p>The Approved FY06 Budget for Capital Improvements (CIP) allocated \$80,000 for the purchase of a salt storage facility. This facility is needed to contain the salt mix that the City uses for snow and ice storm response. Federal, State and County law requires that material, such as salt, be stored in a way that eliminates off-site discharge. The salt material also needs to be kept dry to reduce run-off and clumping of the salt crystals which renders them unusable.</p> <p>In the past the City has stored the salt in a cinder block bay in the Public Works facility. This facility does not meet established standards for salt storage.</p> <p>Department staff began researching storage systems to identify a facility type that would work in the limited area available in the Public Works yard, meet the Federal and State requirements for run-off control, and be available at a cost effective price. It has been determined that a canvas dome cover set on a concrete half wall with concrete floor would meet the City's needs and the required standards.</p> <p>Two proposals were obtained. One from <i>Dome Corporation</i> for \$79,000 and included walls and dome but no base. The other from <i>Mason Dixon Coverall</i> for \$30,263.40 which covers only the cost for the dome.</p> <p>Department staff priced salt storage facilities and determined the product available from <i>Mason Dixon Coverall</i> to be reasonably priced and that it would provide the dome structure needed. It was intended to use the City's Indefinite Quantities Contractor to install the concrete floor and walls for the facility.</p> <p>The previous PW Director placed an order with <i>Mason Dixon Coverall</i> in the amount of \$30,263.40 for the purchase of a dome. The dome was made to the City's specifications.</p> <p>The method used for this purchase is contrary to the provisions of the City Code. Three proposals should have been obtained in accordance with the Code and the bid awarded by Ordinance prior to ordering the dome.</p> <p>The Dome has been made to City specifications and is ready for delivery. PW Staff has been negotiating with the manufacturer to see if they could sell the dome to another buyer. They have been cooperative in this effort; however, another buyer has not been found. The manufacturer has acted in good faith.</p> <p>Staff recommends that the Council authorize the payment of \$30,263.40 to <i>Mason Dixon Coverall</i> for the purchase of the dome.</p> <p>The entire cost of the Salt Storage Facility to include the demolition of the current facility is considerably more than the \$80,000 authorized in the current budget. Since there is insufficient time to erect the facility prior to this winter, Staff is recommending that the dome be stored until such time as sufficient funding has been identified and approved by Council.</p>

<b>Policy</b>	<p>Chapter 7 of the City Code prescribes the following:</p> <p>The City Council shall, by ordinance duly enacted, approve all expenditures of \$5,000.00 or more for professional services and all expenditures of \$10,000.00 or more for any other single purchase of goods or services other than professional services; provided, however, that ordinances approving such expenditures may be enacted upon a single reading without being read at 2 meetings of the City Council prior to adoption, if each such expenditure is specifically authorized in the budget ordinance for the current year or an ordinance revising it and the cost of the procurement is equal to or less than the budgeted amount.</p> <p>If the project, goods or services were authorized in the budget ordinance but exceed the budgeted amount, an ordinance approving such expenditure may be enacted upon a single reading without being read at 2 meetings of the City Council prior to adoption; provided, however, that the City Administrator makes a determination that funds are available to cover the cost of the procurement.</p> <p>All City contracts shall be awarded by competitive sealed bidding or competitive sealed proposals, except as otherwise provided in:</p> <ol style="list-style-type: none"> <li>1. Section 7.08.070 (A), Small purchases;</li> <li>2. Section 7.08.070 (B), Professional services;</li> <li>3. Section 7.08.070 (C), Emergency procurement;</li> <li>4. Section 7.08.070 (D), Sole source procurement;</li> <li>5. Section 7.08.070 (E), Cooperative purchasing.</li> </ol>
<b>Fiscal Impact</b>	The cost of the dome would be covered by the \$80,000 appropriated in the Capital Improvement budget for FY06.
<b>Attachments</b>	Proposed Ordinance
<b>Recommendation</b>	Council approve the attached Single Reading Ordinance authorizing the purchase of a dome for a Salt Storage Facility from <i>Mason Dixon Coverall</i> in the amount of \$30,263.04.
<b>Special Consideration</b>	

Introduced by:

Single Reading:

**ORDINANCE NO. 2005-  
PURCHASE OF DOME FOR Salt Storage Facility**

**WHEREAS,** the current salt storage facility does not meet established standards and needs replacement;  
AND

**WHEREAS,** the FY 06 Adopted Budget for the Capital Improvements Program (CIP) provides \$80,000 for a Salt Storage Facility; AND

**WHEREAS,** a dome for the facility was ordered from *Mason Dixon Coverall* contrary to the existing Purchasing Policy; AND

**WHEREAS,** *Mason Dixon Coverall* manufactured the dome and displayed good faith by working with City Staff to find another buyer without success ; AND

**WHEREAS,** *Mason Dixon Coverall* is charging the agreed upon price of \$30,263.40; AND

**WHEREAS,** Council is approving this purchase as an exception to stated policy.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND**

SECTION 1. THAT the purchase of a salt dome from *Mason Dixon Coverall* in the amount of Thirty thousand two hundred and sixty three dollars and forty cents(\$30,263.40) is approved; AND

SECTION 2 That this purchase is an exception to the normal procurement policies of the City; AND

SECTION 3. THAT funds to cover this purchase in the amount of Thirty thousand two hundred and sixty three dollars and forty cents(\$30,263.40) be charged to the Capital Equipment Expenditures Account 9100-8000

Adopted this \_\_\_\_ day of October, 2005.

AYE:

NAY:

ABSTAIN:

ABSENT: